

# UNITED STATES OF AMERICA

## JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

**CHAIRMAN:**  
Judge Wm. Terrell Hodges  
United States District Court  
Middle District of Florida

**MEMBERS:**  
Judge John F. Keenan  
United States District Court  
Southern District of New York

Judge Bruce M. Selya  
United States Court of Appeals  
First Circuit

Judge Julia Smith Gibbons  
United States Court of Appeals  
Sixth Circuit

Judge D. Lowell Jensen  
United States District Court  
Northern District of California

Judge J. Frederick Motz  
United States District Court  
District of Maryland

Judge Robert L. Miller, Jr.  
United States District Court  
Northern District of Indiana

**DIRECT REPLY TO:**

Michael J. Beck  
Clerk of the Panel  
One Columbus Circle, NE  
Thurgood Marshall Federal  
Judiciary Building  
Room G-255, North Lobby  
Washington, D.C. 20002

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October 15, 2003

### NOTICE OF HEARING SESSION

Dear Counsel:

Pursuant to the order of the Judicial Panel on Multidistrict Litigation filed today, you are hereby notified that a hearing session has been scheduled to consider various matters pursuant to 28 U.S.C. § 1407.

**DATE OF HEARING SESSION:** November 20, 2003

**LOCATION OF HEARING SESSION:** John H. Wood, Jr. United States Courthouse  
Courtroom No. 1, First Floor  
655 East Durango Boulevard  
San Antonio, Texas 78206-1198


**TIME OF HEARING SESSION:** In those matters designated for oral argument, counsel presenting oral argument must be present at **8:30 a.m.** in order for the Panel to allocate the amount of time for oral argument. Oral argument will commence at **9:30 a.m.**

Please direct your attention to the enclosed Hearing Session Order and Schedule of Matters for Hearing Session for a listing of the matters scheduled for consideration at this hearing session.

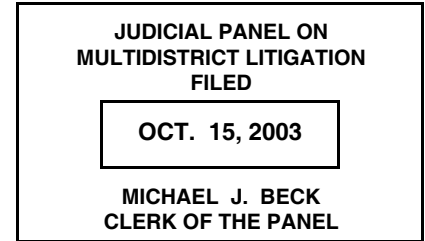
- Section A of this Schedule lists the matters designated for oral argument.
- Section B of this Schedule lists the matters that the Panel has determined to consider **without oral argument**, pursuant to Rule 16.1(c), R.P.J.P.M.L., 199 F.R.D. 425, 439 (2001).

For those matters listed on Section A of the Schedule, the enclosed blue "Notice of Presentation or Waiver of Oral Argument" must be returned to this office no later than **November 3, 2003**. Note the procedures governing Panel oral argument which are outlined on the enclosed "Procedures for Oral Argument before the Judicial Panel on Multidistrict Litigation." These procedures are strictly adhered to and your cooperation is appreciated.

Very truly,

  
Michael J. Beck  
Clerk of the Panel

c: Clerk, U.S. District Court for the Western District of Texas



***BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION***

***WM. TERRELL HODGES, CHAIRMAN, JOHN F. KEENAN, BRUCE M. SELYA,  
JULIA SMITH GIBBONS, D. LOWELL JENSEN, J. FREDERICK MOTZ AND  
ROBERT L. MILLER, JR., JUDGES OF THE PANEL***

**HEARING SESSION ORDER**

IT IS ORDERED that on November 20, 2003, a hearing session will be held in San Antonio, Texas, to consider the matters on the attached Schedule under 28 U.S.C. § 1407.

IT IS FURTHER ORDERED that at said hearing session the Panel may, on its own initiative, consider transfer of any or all of the actions in those matters to any district or districts.

IT IS FURTHER ORDERED that at said hearing session the matters listed on Section A of the attached Schedule shall be designated for oral argument.

IT IS FURTHER ORDERED that at said hearing session the matters listed on Section B of the attached Schedule shall be considered without oral argument, pursuant to Rule 16.1(c), R.P.J.P.M.L., 199 F.R.D. 425, 439 (2001). The Panel reserves the prerogative, on any basis including submissions of parties pursuant to Panel Rule 16.1(b), to issue a subsequent notice designating any of those matters for oral argument.

IT IS FURTHER ORDERED that the Clerk of the Judicial Panel on Multidistrict Litigation shall direct notice of this hearing session to counsel for all parties involved in the matters on the attached Schedule.

FOR THE PANEL:



Wm. Terrell Hodges  
Chairman

SCHEDULE OF MATTERS FOR HEARING SESSION  
November 20, 2003 -- San Antonio, Texas

**SECTION A**  
**MATTERS DESIGNATED FOR ORAL ARGUMENT**

MDL-1568 -- In re Parcel Tanker Shipping Services Antitrust Litigation

Motion of defendants Stolt-Nielsen SA; Stolt-Nielsen Transportation Group Ltd.; Odfjell ASA; Odfjell USA, Inc.; Jo Tankers B.V.; Jo Tankers, Inc.; and Tokyo Marine Co., Ltd., for centralization of the following actions in the United States District Court for the Southern District of Texas:

District of Connecticut

*JLM Industries, Inc., et al. v. Stolt-Nielsen SA, et al.*, C.A. No. 3:03-348  
*Illovo Sugar, Ltd. v. Stolt-Nielsen SA, et al.*, C.A. No. 3:03-1200

Eastern District of Pennsylvania

*Allchem Industries Industrial Chemicals Group, Inc. v. Stolt-Nielsen SA, et al.*,  
C.A. No. 2:03-3476  
*GFI Chemicals, LP, et al. v. Stolt-Nielsen SA, et al.*, C.A. No. 2:03-4079  
*Basic Chemical Solutions LLC v. Stolt-Nielsen SA, et al.*, C.A. No. 2:03-4080

Southern District of Texas

*Nizhnekamskneftekhim USA, Inc. v. Stolt-Nielsen SA, et al.*, C.A. No. 4:03-1202

MDL-1570 -- In re Terrorist Attacks on September 11, 2001

Motion of defendant Saudi Binladin Group, Inc., for centralization of the following actions in the United States District Court for the District of District of Columbia:

District of District of Columbia

*Fiona Havlish, et al. v. Sheikh Usama Bin-Laden, et al.*,  
C.A. No. 1:02-305

*Thomas Burnett, et al. v. Al Baraka Investment & Development Corp., et al.*,  
C.A. No. 1:02-1616

Southern District of New York

*Kathleen Ashton, et al. v. Al Qaeda Islamic Army, et al.*, C.A. No. 1:02-6977

*Walter Tremsky, et al. v. Osama Bin Laden, et al.*, C.A. No. 1:02-7300

*Gladys Salvo, et al. v. Al Qaeda Islamic Army, et al.*, C.A. No. 1:03-5071

*Chiemi York, et al. v. Al Qaeda Islamic Army, et al.*, C.A. No. 1:03-5493

MDL-1572 -- In re Air Crash Near Castellon, Spain, on October 10, 2001

Motion of defendant Flightline, S.L., for centralization of the following actions in the United States District Court for the District of Connecticut:

District of Connecticut

*William Lyons, et al. v. Viajes Flightline, S.L., et al.*, C.A. No. 3:02-1788

*Elizabeth D. McParland, etc. v. Viajes Flightline, S.L., et al.*, C.A. No. 3:02-1972

*Jacqueline A. Van Slyke, etc. v. Viajes Flightline, S.L., et al.*, C.A. No. 3:02-2274

*Adrienne Brooks, etc. v. Viajes Flightlines, S.L., et al.*, C.A. No. 3:02-2275

*Leslie Clark, etc. v. Viajes Flightline, S.L., et al.*, C.A. No. 3:02-2276

Southern District of Texas

*Leslie Dalrymple, etc. v. Flightline International, S.L.*, C.A. No. 4:03-2328

*Kathy Harrison, et al. v. Afrospania Logistics, Inc., et al.*, C.A. No. 4:03-2398

MDL-1573 -- In re The Boeing Company Employment Practices Litigation (No. II)

Motion of plaintiffs Nadine McClam-Brown, et al., for centralization of the following actions in the United States District Court for the Western District of Washington:

Eastern District of Pennsylvania

*Nadine McClam-Brown, et al. v. The Boeing Co.*, C.A. No. 2:98-3994

Western District of Washington

*Solomon Williams, et al. v. The Boeing Co.*, C.A. No. 2:98-430

*Solomon Williams, et al. v. The Boeing Co., et al.*, C.A. No. 2:98-761

MDL-1574 -- In re Paxil Products Liability Litigation

Motion of plaintiffs Preston Leonard, et al., for centralization of the following actions in the United States District Court for the Central District of California or, in the alternative, the United States District Court for the Southern District of Illinois:

Central District of California

*In re Paxil Litigation*, C.A. No. 2:01-7937

Southern District of California

*James Roscoe v. GlaxoSmithKline*, C.A. No. 3:02-2138

Southern District of Illinois

*Carol Martin, et al. v. SmithKline Beecham Corp.*, C.A. No. 3:03-563

Middle District of Louisiana

*Ted Bowman, et al. v. SmithKline Beecham Corp.*, C.A. No. 3:02-909

*Victoria James, et al. v. SmithKline Beecham Corp., et al.*, C.A. No. 3:03-499

MDL-1574 (Continued)

District of Massachusetts

*Preston Leonard, et al. v. GlaxoSmithKline Corp.*, C.A. No. 1:03-10245

District of Maryland

*Frank Mitchell, et al. v. SmithKline Beecham Corp.*, C.A. No. 1:02-4156

Northern District of Mississippi

*Hattie D. Scott, et al. v. SmithKline Beecham Corp., et al.*, C.A. No. 4:03-233

Northern District of Ohio

*Joseph James McGrath, et al. v. GlaxoSmithKline, Inc., et al.*, C.A. No. 1:02-765

Middle District of Tennessee

*Calvin Townsend, et al. v. SmithKline Beecham Corp., et al.*, C.A. No. 3:03-444

Northern District of Texas

*Clayton Greenberg, et al. v. GlaxoSmithKline Corp.*, C.A. No. 3:02-2147

Eastern District of Wisconsin

*Christen Holcombe, et al. v. SmithKline Beecham*, C.A. No. 2:02-1158

MDL-1575 -- In re Visa/MasterCard Antitrust Litigation

Motion of plaintiffs Best Buy Stores, L.P., et al., and Giant Eagle, Inc., et al., for centralization of the following actions in the United States District Court for the District of Minnesota or, in the alternative, the United States District Court for the Eastern District of New York:

District of Minnesota

*Best Buy Stores, L.P., et al. v. Visa U.S.A., Inc., et al.*, C.A. No. 0:03-3384

Eastern District of New York

*Meijer Stores Limited Partnership, et al. v. Visa U.S.A., Inc., et al.*, C.A. No. 1:02-4668

*Toys "R" Us, Inc. v. Visa U.S.A., Inc., et al.*, C.A. No. 1:02-6282

*Home Depot U.S.A., Inc. v. Visa U.S.A., Inc., et al.*, C.A. No. 1:02-6790

*CVS Corp., et al. v. Visa U.S.A., Inc., et al.*, C.A. No. 1:03-2334

Western District of Pennsylvania

*Giant Eagle, Inc., et al. v. Visa U.S.A., Inc., et al.*, C.A. No. 2:02-2120

**SECTION B**  
**MATTERS DESIGNATED FOR CONSIDERATION WITHOUT ORAL ARGUMENT**

MDL-381 -- In re "Agent Orange" Products Liability Litigation

Opposition of plaintiff Paul Baldassari to transfer of the following action to the United States District Court for the Eastern District of New York:

District of Massachusetts

*Paul Baldassari v. Dow Chemical Co.*, C.A. No. 1:03-11174

MDL-875 -- In re Asbestos Products Liability Litigation (No. VI)

Oppositions of plaintiffs Dawn Yates, et al.; Thomas R. Wicker, et al.; Louis Paul Miller; Roy Jones; Clifford R. Crosby, Sr.; and Wilbur Broadus Amick, et al., to transfer of their respective following actions to the United States District Court for the Eastern District of Pennsylvania:

District of Connecticut

*Dawn Yates, et al. v. Electric Boat Corp.*, C.A. No. 3:03-245

Southern District of Mississippi

*Thomas R. Wicker, et al. v. Illinois Central Railroad Co.*, C.A. No. 1:03-208

*Louis Paul Miller v. Quigley Co., Inc., et al.*, C.A. No. 1:03-217

District of Oregon

*Roy Jones v. Railko, Ltd., et al.*, C.A. No. 6:03-8



MDL-875 (Continued)

District of South Carolina

*Clifford R. Crosby, Sr. v. Owens-Illinois, Inc., et al.*, C.A. No. 2:03-2089  
*Wilbur Broadus Amick, et al. v. National Service Industries, Inc., et al.*,  
C.A. No. 2:03-2115

MDL-986 -- In re "Factor VIII or IX Concentrate Blood Products" Products Liability Litigation

Motion of defendants Bayer Corporation; Armour Pharmaceutical Company, Inc.; Aventis Behring LLC; Aventis, Inc.; Baxter Healthcare Corporation; and Alpha Therapeutic Corporation to transfer the following action to the United States District Court for the Northern District of Illinois:

Northern District of California

*Domenico Gullone, et al. v. Bayer Corp., et al.*, C.A. No. 3:03-2572

MDL-1132 -- In re Exterior Insulation Finish System (EIFS) Products Liability Litigation

Oppositions of plaintiffs Robert R. Bishopp, et al., and Ilga L. Cooper to transfer of their respective following actions to the United States District Court for the Eastern District of North Carolina:

Southern District of Ohio

*Robert R. Bishopp, et al. v. Dryvit Systems, Inc.*, C.A. No. 1:03-563

District of South Carolina

*Ilga L. Cooper v. John B. Irvin, III, et al.*, C.A. No. 2:02-3797

MDL-1203 -- In re Diet Drugs (Phentermine/Fenfluramine/Dexfenfluramine) Products  
Liability Litigation

Oppositions of plaintiffs to transfer of their respective actions listed on Attachment A to the United States District Court for the Eastern District of Pennsylvania.

MDL-1293 -- In re Natural Gas Royalties Qui Tam Litigation

Opposition of defendants Amoco Corporation, et al., to remand, under 28 U.S.C. § 1407(a), of the following action to the United States District Court for the Eastern District of Texas:

District of Wyoming

*Harold E. (Gene) Wright, et al. v. AGIP Petroleum Co., et al.*, C.A. No. 2:00-1675  
(E.D. Texas, C.A. No. 9:98-30)

MDL-1332 -- In re Microsoft Corp. Windows Operating Systems Antitrust Litigation

Opposition of plaintiff Birdsong Tractor & Supply, Inc., to transfer of the following action to the United States District Court for the District of Maryland:

Eastern District of Arkansas

*Birdsong Tractor & Supply, Inc. v. Microsoft Corp.*, C.A. No. 4:03-474

MDL-1334 -- In re Managed Care Litigation

Oppositions of defendants Great-West Life & Annuity Insurance Company, Blue Cross & Blue Shield of Mississippi, and Trustmark Insurance Company to transfer of the following action to the United States District Court for the Southern District of Florida:

Middle District of Florida

*Harry L. Dorsey, D.C., et al. v. Aetna, Inc., et al.*, C.A. No. 8:03-1273

MDL-1335 -- In re Tyco International, Ltd., Securities, Derivative & "ERISA" Litigation

Oppositions of plaintiffs Ezra Charitable Trust and Robert C. Wilson, et al., to transfer of their respective following actions to the United States District Court for the District of New Hampshire:

Southern District of Florida

*Ezra Charitable Trust v. Tyco International, Ltd., et al.*, C.A. No. 9:03-80479

Eastern District of Michigan

*Robert C. Wilson, et al. v. Tyco International Ltd., et al.*, C.A. No. 2:03-72154

MDL-1348 -- In re Rezulin Products Liability Litigation

Oppositions of plaintiffs to transfer of their respective following actions to the United States District Court for the Southern District of New York:

Middle District of Florida

*Joanne Herrmann, etc. v. Warner-Lambert Co., et al.*, C.A. No. 3:03-699

MDL-1348 (Continued)

Northern District of Mississippi

*Helen Graves, et al. v. Parke-Davis, et al.*, C.A. No. 2:03-183  
*Tommie Doyle, et al. v. Parke-Davis, et al.*, C.A. No. 2:03-184  
*Yolanda Davis, et al. v. Parke-Davis, et al.*, C.A. No. 2:03-185  
*Louvenia Joiner, et al. v. Parke-Davis, et al.*, C.A. No. 2:03-186

Southern District of Mississippi

*Herstine McCain, et al. v. Warner-Lambert Co., et al.*, C.A. No. 2:03-402  
*Arthur Adams v. Warner-Lambert Co.*, C.A. No. 3:03-627  
*Mary Stewart, et al. v. Parke-Davis, et al.*, C.A. No. 4:03-191  
*Johnny Coleman, et al. v. Parke-Davis, et al.*, C.A. No. 4:03-192  
*Jennifer Renette Long Slaughter, et al. v. Larry Morris, M.D., et al.*, C.A. No. 4:03-193  
*Phyllis Allen, et al. v. Warner-Lambert Co., et al.*, C.A. No. 4:03-260  
*Shirley C. Montgomery v. Warner-Lambert Co.*, C.A. No. 5:03-258

District of New Mexico

*Mary Ann Vigil v. Pfizer, Inc., et al.*, C.A. No. 1:03-549  
*Irene Bencomo v. Pfizer, Inc., et al.*, C.A. No. 1:03-550

Northern District of Ohio

*Antoinette Barber v. Pfizer, Inc., et al.*, C.A. No. 4:03-1107

District of South Carolina

*Mack Brown, et al. v. Parke-Davis, et al.*, C.A. No. 1:03-2749

Eastern District of Texas

*Chucky Kennedy v. Shaunna Mitchell, M.D., et al.*, C.A. No. 2:03-291

MDL-1348 (Continued)

Southern District of Texas

*Rosaura Rodriguez v. Parke-Davis, et al.*, C.A. No. 2:03-303

*Mary Garza, et al. v. Pfizer, Inc., et al.*, C.A. No. 7:03-143

*Irma Echavarria v. Parke-Davis, et al.*, C.A. No. 7:03-217

Western District of Texas

*Jose Felan v. Parke-Davis, et al.*, C.A. No. 4:03-78

MDL-1355 -- In re Propulsid Products Liability Litigation

Oppositions of plaintiffs to transfer of their respective following actions to the United States District Court for the Eastern District of Louisiana:

Northern District of Mississippi

*Geneva Anderson, et. al. v. Johnson & Johnson, et. al.*, C.A. No. 2:03-192

*Milton Adams, et. al. v. Johnson & Johnson, et. al.*, C.A. No. 2:03-193

*Bessie McGee, et al. v. Johnson & Johnson, et al.*, C.A. No. 4:03-256

*Mamie Cole, et al. v. Johnson & Johnson, et al.*, C.A. No. 4:03-258

*Gena Amato, et. al. v. Johnson & Johnson, et. al.*, C.A. No. 4:03-272

*Bobbie Jean Eddington, et al. v. Johnson & Johnson, et al.*, C.A. No. 4:03-278

Southern District of Mississippi

*Faye Aldridge, et al. v. Johnson & Johnson, et al.*, C.A. No. 3:03-669

*Dejohnessa Dixon, et al. v. Johnson & Johnson, et al.*, C.A. No. 3:03-670

*Sentra Murray, et al. v. Johnson & Johnson, et al.*, C.A. No. 3:03-671

*Joe Nick Fitzgerald, et al. v. Johnson & Johnson, et al.*, C.A. No. 3:03-752

*Beverly Foreman Maricelli v. Johnson & Johnson Co., et al.*, C.A. No. 5:03-378

MDL-1373 -- In re Bridgestone/Firestone, Inc., Tires Products Liability Litigation

Oppositions of plaintiffs Dwight Tompkins, et al., and Alfred Hinson and defendant Border Transfer Services, Inc., to transfer of their respective following actions to the United States District Court for the Southern District of Indiana:

Eastern District of California

*Dwight Tompkins, et al. v. Ford Motor Co.*, C.A. No. 2:03-1713

Southern District of Texas

*Steven Ames v. Ford Motor Co., et al.*, C.A. No. 5:03-85

Eastern District of Virginia

*Alfred Hinson v. Ford Motor Co., et al.*, C.A. No. 1:03-597

MDL-1382 -- In re Unitrin, Inc., Industrial Life Insurance Litigation

Opposition of plaintiffs Walter Christian, et al., to transfer of the following action to the United States District Court for the Eastern District of Louisiana:

Southern District of Mississippi

*Walter Christian, et al. v. Unitrin, Inc., et al.*, C.A. No. 5:03-375

MDL-1390 -- In re Life Insurance Co. of Georgia Industrial Life Insurance Litigation

Oppositions of plaintiffs Lillie Rice, et al.; Doris Reynolds, et al.; Lillie Mae Woods, et al.; Lorene Williams, et al.; Ruth Augustine, et al.; and Ruby King, et al., to transfer of their respective following actions to the United States District Court for the Eastern District of Louisiana:

Northern District of Georgia

*Lillie Rice, et al. v. Life Insurance Co. of Georgia*, C.A. No. 1:03-1998  
*Doris Reynolds, et al. v. Life Insurance Co. of Georgia*, C.A. No. 1:03-2303  
*Lillie Mae Woods, et al. v. Life Insurance Co. of Georgia*, C.A. No. 1:03-2304  
*Lorene Williams, et al. v. Life Insurance Co. of Georgia*, C.A. No. 1:03-2305  
*Ruth Augustine, et al. v. Life Insurance Co. of Georgia*, C.A. No. 1:03-2306  
*Ruby King, et al. v. Life Insurance Co. of Georgia*, C.A. No. 1:03-2381

MDL-1401 -- In re Sulzer Orthopedics Inc. Hip Prosthesis and Knee Prosthesis Products Liability Litigation

Opposition of plaintiffs Norman K. Stahl, et al., to transfer of the following action to the United States District Court for the Northern District of Ohio:

Northern District of Oklahoma

*Norman K. Stahl, et al. v. Sulzer Orthopedics, Inc., et al.*, C.A. No. 4:03-475

MDL-1405 -- In re California Wholesale Electricity Antitrust Litigation

Oppositions of plaintiff Port of Seattle and defendants Puget Energy, Inc.; Puget Sound Energy, Inc.; and PacifiCorp to transfer of the following action to the United States District Court for the Southern District of California:

Western District of Washington

*Port of Seattle v. Avista Corp., et al.*, C.A. No. 2:03-1170

MDL-1407 -- In re Phenylpropanolamine (PPA) Products Liability Litigation

Oppositions of plaintiffs Brendra Joseph, et al.; Kirby Davis; Evelyn E. Williams; Bobby Delaughter, et al.; Jerome Burton, etc.; Timi Siemer, et al.; Joseph Zennaro, etc.; and Jerry Knight and defendants Leiner Health Products, Inc., and Walmart Stores, Inc., to transfer of their respective following actions to the United States District Court for the Western District of Washington:

Eastern District of Arkansas

*Brendra Joseph, et al. v. Chattem, Inc., et al.*, C.A. No. 4:03-250

Northern District of Florida

*Kirby Davis v. Bayer Corp., et al.*, C.A. No. 3:03-233

*Evelyn E. Williams v. Bayer Corp., et al.*, C.A. No. 3:03-234

*Bobby Delaughter, et al. v. Bayer Corp., et al.*, C.A. No. 3:03-235

Southern District of Mississippi

*Jerome Burton, etc. v. Proctor & Gamble Co., et al.*, C.A. No. 5:03-352

Eastern District of Missouri

*Timi Siemer, et al. v. Chattem, Inc., et al.*, C.A. No. 4:03-796

Eastern District of New York

*Joseph Zennaro, etc. v. Wyeth, Inc., et al.*, C.A. No. 1:03-2155

Southern District of New York

*Phyllis McComas v. Leiner Health Products, Inc., et al.*, C.A. No. 1:02-8018

Northern District of Texas

*Jerry Knight v. Advocare International LLC, et al.*, C.A. No. 3:03-1361



MDL-1409 -- In re Currency Conversion Fee Antitrust Litigation

Opposition of plaintiff Bernd Bildstein to transfer of the following action to the United States District Court for the Southern District of New York:

Eastern District of New York

*Bernd Bildstein v. MasterCard International, Inc.*, C.A. No. 1:03-3273

MDL-1422 -- In re Waste Management, Inc., Securities Litigation

Opposition of plaintiff Benny R. Villani to transfer of the following action to the United States District Court for the Southern District of Texas:

District of New Jersey

*Benny R. Villani v. Waste Management, Inc.*, C.A. No. 2:03-3913

MDL-1423 -- In re Cygnus Telecommunications Technology, LLC, Patent Litigation

Opposition of defendant Liberation Management, LLC to transfer of the following action to the United States District Court for the Northern District of California:

Southern District of California

*Cygnus Telecommunications Technology, LLC v. Liberation Management, LLC*,  
C.A. No. 3:03-1613

MDL-1431 -- In re Baycol Products Liability Litigation

Oppositions of plaintiffs to transfer of their respective following actions to the United States District Court for the District of Minnesota:

Northern District of Mississippi

*Kenneth Michael, et al. v. Bayer Corp., et al.*, C.A. No. 1:03-92

*Donna Elliott, et al. v. Bayer Corp., et al.*, C.A. No. 1:03-224

Southern District of Mississippi

*Gerald Hovatter v. Bayer AG, et al.*, C.A. No. 1:03-286

*Helene Cuevas v. Bayer Corp., et al.*, C.A. No. 1:03-530

*Russell Wooten v. Bayer Corp., et al.*, C.A. No. 3:03-422

*Ivy L. Watson, et al. v. Bayer AG, et al.*, C.A. No. 3:03-423

*Sadie Lee Williams, et al. v. Bayer AG, et al.*, C.A. No. 3:03-563

*Gladys Daniel Blakeney, et al. v. Bayer AG, et al.*, C.A. No. 3:03-598

*Aundrea Barnes, et al. v. Bayer AG, et al.*, C.A. No. 3:03-599

*Frances Nell Amason, et al. v. Bayer AG, et al.*, C.A. No. 3:03-600

*Audrey Andrews, et al. v. Bayer AG, et al.*, C.A. No. 3:03-659

*Monzolia Banks, et al. v. Bayer AG, et al.*, C.A. No. 3:03-763

*Janet Clark, et al. v. Susan S. Gunn, et al.*, C.A. No. 4:03-137

Eastern District of New York

*Richard J. Medalie v. Bayer Corp., et al.*, C.A. No. 1:03-2701

Eastern District of Texas

*Dorothy Achee, et al. v. Bayer Corp., et al.*, C.A. No. 1:03-445

Northern District of Texas

*Katheryn Moreno, et al. v. Bayer Corp., et al.*, C.A. No. 3:03-1197

*Emma Stemen, et al. v. Bayer Corp., et al.*, C.A. No. 3:03-1198

MDL-1446 -- In re Enron Corp. Securities, Derivative & "ERISA" Litigation

Oppositions of plaintiffs Unicredito Italiano, et al.; Arthur K. McNett, et al.; Seymour Herman; and Vanguard Balanced Index Fund, et al., to transfer of their respective following actions to the United States District Court for the Southern District of Texas:

Southern District of New York

*Unicredito Italiano, et al. v. J.P. Morgan Chase, et al.*, C.A. No. 1:02-5328

District of Oregon

*Arthur K. McNett, et al. v. Arthur Andersen, LLP, et al.*, C.A. No. 3:03-1113

*Seymour Herman v. Arthur Andersen, LLP, et al.*, C.A. No. 3:03-1115

Eastern District of Pennsylvania

*Vanguard Balanced Index Fund, et al. v. Citibank, N.A., et al.*, C.A. No. 2:03-3099

Motions of defendants Sally W. Beck, Mark A. Frevert, Mark E. Haedicke, Kevin P. Hannon, and Lawrence G. Whalley, and of third-party defendant Ken Lay, to transfer their respective following actions to the United States District Court for the Southern District of Texas:

Northern District of Texas

*American Home Assurance Co. v. Sally W. Beck, et al.*, C.A. No. 3:03-1625

Western District of Texas

*Northern Natural Gas Co. v. Betty Lou Sherrin, et al.*, C.A. No. 5:03-304

MDL-1456 -- In re Pharmaceutical Industry Average Wholesale Price Litigation

Opposition of plaintiff International Union of Operating Engineers, Local No. 68 Welfare Fund to transfer of the following action to the United States District Court for the District of Massachusetts:

District of New Jersey

*International Union of Operating Engineers, Local No. 68 Welfare Fund v. Astrazenca, PLC, et al.*, C.A. No. 3:03-3230

MDL-1477 -- In re Serzone Products Liability Litigation

Oppositions of plaintiffs Gina Archie, et al.; Emma J. Twiner; Josephine Adams, et al.; Barbara Adams-Sharp, et al.; and Dixie Atencio, et al., and defendants Ortho-McNeil Pharmaceutical, Inc.; Johnson & Johnson; Johnson & Johnson Pharmaceutical Research & Development, LLC; Vatsala Bhaskaran, M.D.; Ramesh R. Parikh, M.D.; Enrique Mendia, M.D.; Vaidyanath Iyer, M.D.; Lawrence Ginsberg, M.D.; Mina A. Parikh, M.D.; Riza Mazcuri, M.D.; G. Scardino, M.D.; and Chantee Vavasseur, M.D., to transfer of their respective following actions to the United States District Court for the Southern District of West Virginia:

Northern District of Iowa

*Myra Frana, et al. v. Ortho-McNeil Pharmaceutical, Inc., et al.*, C.A. No. 1:03-79

Southern District of Mississippi

*Gina Archie, et al. v. Bristol-Myers Squibb Co., Inc., et al.*, C.A. No. 3:02-1762  
*Emma J. Twiner v. Bristol-Myers Squibb Co., Inc., et al.*, C.A. No. 5:03-320

Northern District of Texas

*Josephine Adams, et al. v. Bristol-Myers Squibb Co.*, C.A. No. 3:03-1430  
*Barbara Adams-Sharp, et al. v. Bristol-Myers Squibb Co.*, C.A. No. 3:03-1669

Southern District of Texas

*Dixie Atencio, et al. v. Bristol-Myers Squibb Co., et al.*, C.A. No. 4:03-2772

MDL-1481 -- In re Meridia Products Liability Litigation

Oppositions of plaintiffs Pauline Berry, et al., and Cathy Cummings, et al., to transfer of their respective following actions to the United States District Court for the Northern District of Ohio:

Northern District of Mississippi

*Pauline Berry, et al. v. Abbott Laboratories, et al.*, C.A. No. 2:03-189

Southern District of Mississippi

*Cathy Cummings, et al. v. Abbott Laboratories, et al.*, C.A. No. 3:03-648

MDL-1487 -- In re WorldCom, Inc., Securities & "ERISA" Litigation

Oppositions of plaintiffs Richard F. Reynolds; American International Group, Inc., et al.; and Northwestern Mutual Life Insurance Company to transfer of their respective following actions to the United States District Court for the Southern District of New York:

District of District of Columbia

*Richard F. Reynolds v. James C. Allen, et al.*, C.A. No. 1:03-1038

Northern District of Texas

*American International Group, Inc., et al. v. Bernard J. Ebberts, et al.*,  
C.A. No. 3:03-1566

Eastern District of Wisconsin

*Northwestern Mutual Life Insurance Co. v. Citigroup, Inc., et al.*, C.A. No. 2:03-608

MDL-1507 -- In re Prempro Products Liability Litigation

Opposition of plaintiffs to transfer of their respective following actions to the United States District Court for the Eastern District of Arkansas:

Eastern District of Louisiana

*Laura Harry v. Wyeth, Inc.*, C.A. No. 2:03-2096

Southern District of Mississippi

*Helen Marie Sheppard, et al. v. Wyeth Pharmaceuticals, Inc., et al.*, C.A. No. 2:03-271

*Johnnie Mae Jenkins, et al. v. Wyeth Pharmaceuticals, Inc., et al.*, C.A. No. 3:03-623

*Susie Brown v. Wyeth, et al.*, C.A. No. 3:03-676

*Susan Hewitt v. Wyeth, et al.*, C.A. No. 5:03-333

Eastern District of Texas

*Annie Casey, et al. v. Wyeth, Inc., et al.*, C.A. No. 1:03-412

*Eddie Mae Barnum v. Wyeth, Inc., et al.*, C.A. No. 1:03-453

*Jeanne Young, et al. v. Wyeth, Inc., et al.*, C.A. No. 1:03-479

*Juliana Jenny, et al. v. Wyeth, Inc., et al.*, C.A. No. 1:03-480

*Linda Johnson, et al. v. Wyeth, Inc., et al.*, C.A. No. 1:03-484

*Sharon L. Harmon v. Wyeth, Inc., et al.*, C.A. No. 4:03-287

*Beverly Sue Erwin, et al. v. Wyeth, Inc., et al.*, C.A. No. 9:03-183

Northern District of Texas

*Charles Dwain Walker, et al. v. Wyeth*, C.A. No. 2:03-226

*Diane Rebetti, et al. v. Wyeth, Inc., et al.*, C.A. No. 4:03-845

Southern District of Texas

*Doris B. Templeton, et al. v. Wyeth, Inc., et al.*, C.A. No. 3:03-534

*Genevieve C. Harvey v. Wyeth, Inc., et al.*, C.A. No. 3:03-535

*Judy Wolf, et al. v. Wyeth, Inc., et al.*, C.A. No. 3:03-536

*Inez Allen v. Wyeth, Inc., et al.*, C.A. No. 3:03-537

*Sandra Petrie, et al. v. Wyeth, Inc., et al.*, C.A. No. 3:03-538

*Janelle Louise Moore, et al. v. Wyeth, Inc., et al.*, C.A. No. 3:03-547

MDL-1507 (Continued)

Southern District of Texas (Continued)

*Nancy Newman, et al. v. Wyeth, Inc., et al.*, C.A. No. 3:03-548

*Ruth Opal Kent, et al. v. Wyeth, Inc., et al.*, C.A. No. 3:03-549

*Hilda Thibodeaux v. Wyeth, Inc., et al.*, C.A. No. 4:03-2905

*Patricia Cornelius, et al. v. Wyeth, Inc., et al.*, C.A. No. 4:03-2906

*Gerri Adair, et al. v. Wyeth, Inc., et al.*, C.A. No. 4:03-2907

*Nancy B. Smith v. Wyeth, Inc., et al.*, C.A. No. 4:03-2908

*Fannie Jean Henry v. Wyeth, Inc., et al.*, C.A. No. 4:03-2909

MDL-1529 -- In re Adelphia Communications Corp. Securities & Derivative Litigation (No. II)

Opposition of plaintiffs Gary L. Williams, et al., to transfer of the following action to the United States District Court for the Southern District of New York:

District of South Carolina

*Gary L. Williams, et al. v. John J. Rigas, et al.*, C.A. No. 3:02-2966

**ATTACHMENT A TO THE NOVEMBER 20, 2003  
SCHEDULE OF MATTERS FOR HEARING**

MDL-1203 -- In re Diet Drugs (Phentermine/Fenfluramine/Dexfenfluramine) Products Liability  
Litigation

Middle District of Alabama

*Rhonda Shepard v. Wyeth, et al.*, C.A. No. 2:03-520

Northern District of Alabama

*Joan D. McCreless v. American Home Products, Inc., et al.*, C.A. No. 2:03-1340

Northern District of Florida

*Janice Bennett, et al. v. Wyeth, et al.*, C.A. No. 3:03-224

*Nancy West v. Wyeth, et al.*, C.A. No. 3:03-232

*Nancy Wells v. Wyeth, et al.*, C.A. No. 3:03-295

*Brenda L. Bankston v. Wyeth, et al.*, C.A. No. 3:03-296

*Lucretia Kistler v. Wyeth, et al.*, C.A. No. 3:03-297

*Judy Gerwe v. Wyeth, et al.*, C.A. No. 3:03-298

Southern District of Florida

*Zelda Rudy v. Wyeth, et al.*, C.A. No. 9:03-80716

Northern District of Georgia

*Frank Topolski, et al. v. Wyeth, Inc., et al.*, C.A. No. 1:03-1937

Eastern District of Louisiana

*Joanne Bourgeois v. Wyeth, et al.*, C.A. No. 2:03-2357

Eastern District of Missouri

*Karen Castle, et al. v. Wyeth, Inc., et al.*, C.A. No. 4:03-974

Northern District of Mississippi

*Margie Broom, et al. v. Marcus Hogan, et al.*, C.A. No. 2:03-169

*Pam Harkins, et al. v. Billy Sollie, et al.*, C.A. No. 2:03-170

*Gladys Walton, et al. v. American Home Products Corp., et al.*, C.A. No. 2:03-195

*Lana Smith, et al. v. Wyeth Corp., et al.*, C.A. No. 2:03-241

*Jacqueline Burge, et al. v. Dennis Sims, M.D., et al.*, C.A. No. 4:03-249

*Gaither Bell, et al. v. Donald Blackwood, M.D., et al.*, C.A. No. 4:03-250

*Mary E. Peiralisil, et al. v. American Home Products Corp., et al.*, C.A. No. 4:03-269

*Pamela Bolton, et al. v. American Home Products Corp., et al.*, C.A. No. 4:03-270



**MDL-1203 Attachment A (Continued)**

Southern District of Mississippi

*Lisa Bishop, et al. v. Terry R. Lowe, M.D., et al.*, C.A. No. 2:03-283  
*Karen Bates, et al. v. Dwalia S. South, et al.*, C.A. No. 3:03-641  
*Barbara Cooper v. American Home Products Corp., et al.*, C.A. No. 3:03-655  
*Elise Lizana, et al. v. American Home Products Corp., et al.*, C.A. No. 3:03-685  
*Mike Cockrell, et al. v. Wyeth, et al.*, C.A. No. 3:03-715  
*Janice McCrory, et al. v. Wyeth, et al.*, C.A. No. 3:03-727  
*Chandra Bell Estate, et al. v. Wyeth, Inc., et al.*, C.A. No. 3:03-737  
*Susan Shumake, et al. v. American Home Products Corp., et al.*, C.A. No. 3:03-759  
*Delois Gore, et al. v. American Home Products Corp., et al.*, C.A. No. 3:03-760  
*Shirley Dickey, et al. v. American Home Products Corp., et al.*, C.A. No. 4:03-188  
*Shirley Smith, et al. v. Wyeth, et al.*, C.A. No. 4:03-200  
*Kimberly Alawine, et al. v. Wyeth, et al.*, C.A. No. 4:03-264  
*Brenda K. Good, et al. v. Wyeth, et al.*, C.A. No. 5:03-262  
*Joyce Holcomb, et al. v. American Home Products Corp., et al.*, C.A. No. 5:03-301

District of Montana

*Betty Jo Bridenstine, et al. v. American Home Products Corp., et al.*, C.A. No. 9:03-54

Eastern District of New York

*Ann Mattarelliano v. American Home Products Corp., et al.*, C.A. No. 1:03-3081  
*Lewis Barsky, et al. v. American Home Products Corp., et al.*, C.A. No. 1:03-3082  
*Nyesha Hall, et al. v. American Home Products Corp., et al.*, C.A. No. 1:03-3885  
*Kim M. Yancey v. American Home Products Corp., et al.*, C.A. No. 1:03-3886  
*Celine Azoulay, et al. v. American Home Products Corp., et al.*, C.A. No. 1:03-3887  
*Jennifer Merritt v. American Home Products Corp., et al.*, C.A. No. 1:03-3889  
*Michele Schiavone v. American Home Products Corp., et al.*, C.A. No. 1:03-3898  
*Deena M. Schiavone v. American Home Products Corp., et al.*, C.A. No. 1:03-3899  
*Rachel R. Mosseri v. American Home Products Corp., et al.*, C.A. No. 1:03-3900  
*Doris Weller v. American Home Products Corp., et al.*, C.A. No. 1:03-3901  
*Alison Groia-Deangelis v. American Home Products Corp., et al.*, C.A. No. 1:03-3902  
*Chirstine Miceli-Faber, et al. v. American Home Products Corp., et al.*, C.A. No. 1:03-3903  
*Michelle Gonzalez v. American Home Products Corp., et al.*, C.A. No. 1:03-3904  
*Jennifer A. Broser v. American Home Products Corp., et al.*, C.A. No. 1:03-3905  
*Joyce S. Cohen-Flaster v. American Home Products Corp., et al.*, C.A. No. 1:03-3908  
*Chanda F. Hopkins v. American Home Products Corp., et al.*, C.A. No. 1:03-3910  
*Tara T. Jones v. American Home Products Corp., et al.*, C.A. No. 1:03-3912  
*Joseph DeBlasi, et al. v. American Home Products Corp., et al.*, C.A. No. 1:03-3967  
*Gina Young v. American Home Products Corp., et al.*, C.A. No. 1:03-3968

**MDL-1203 Attachment A (Continued)**

Southern District of New York

*Leslie Anne Hopping v. American Home Products Corp., et al.*, C.A. No. 1:03-3499  
*Sophia Zikos, et al. v. American Home Products Corp., et al.*, C.A. No. 1:03-3500  
*Rita Strefeler, et al. v. American Home Products Corp., et al.*, C.A. No. 1:03-4450  
*Christine Vetrino v. American Home Products Corp., et al.*, C.A. No. 1:03-4451  
*Grace Sagginario v. American Home Products Corp., et al.*, C.A. No. 1:03-4452  
*Philip Costanza, et al. v. American Home Products Corp., et al.*, C.A. No. 1:03-4453  
*Karen Graces v. American Home Products Corp., et al.*, C.A. No. 1:03-4454  
*Diana Crate v. American Home Products Corp., et al.*, C.A. No. 1:03-4455  
*Dorene M. Peters v. American Home Products Corp., et al.*, C.A. No. 1:03-4456  
*Gladys E. Pinkney v. American Home Products Corp., et al.*, C.A. No. 1:03-4536  
*Gary Cataldo v. American Home Products Corp., et al.*, C.A. No. 1:03-4537  
*Kim A. Howell, et al. v. American Home Products Corp., et al.*, C.A. No. 1:03-4538  
*Regina Dorsett v. American Home Products Corp., et al.*, C.A. No. 1:03-4539  
*Mark Mankoff, et al. v. American Home Products Corp., et al.*, C.A. No. 1:03-4540  
*Anna M. Millett-Mazarakis, et al. v. American Home Products Corp., et al.*, C.A. No. 1:03-4541  
*Susan Bochicchio v. American Home Products Corp., et al.*, C.A. No. 1:03-4542  
*Tamara B. Brody v. American Home Products Corp., et al.*, C.A. No. 1:03-4543  
*Eleanor O'Boyle, et al. v. American Home Products Corp., et al.*, C.A. No. 1:03-4581  
*Betty Fox v. American Home Products Corp., et al.*, C.A. No. 1:03-4582  
*Karen Pacheco v. American Home Products Corp., et al.*, C.A. No. 1:03-4583  
*Laurie Horton v. American Home Products Corp., et al.*, C.A. No. 1:03-4584  
*Eileen LaChance v. American Home Products Corp., et al.*, C.A. No. 1:03-4585  
*Monica Pusatier v. American Home Products Corp., et al.*, C.A. No. 1:03-4586  
*Caroline MacDonald, et al. v. American Home Products Corp., et al.*, C.A. No. 1:03-4593  
*Barbara Linker v. American Home Products Corp., et al.*, C.A. No. 1:03-4594  
*Diane Chiodo, et al. v. American Home Products Corp., et al.*, C.A. No. 1:03-4595  
*Frank Grieco, et al. v. American Home Products Corp., et al.*, C.A. No. 1:03-4596  
*James Rizzo, et al. v. American Home Products Corp., et al.*, C.A. No. 1:03-4597  
*Sheryl L. Elghanayan, et al. v. American Home Products Corp., et al.*, C.A. No. 1:03-4598  
*Deidre L. Powers-Wells, et al. v. American Home Products Corp., et al.*, C.A. No. 1:03-4650  
*Eugene D. Santercole, et al. v. American Home Products Corp., et al.*, C.A. No. 1:03-4651  
*Elaine R. Santercole v. American Home Products Corp., et al.*, C.A. No. 1:03-4652  
*Carol Walston, et al. v. American Home Products Corp., et al.*, C.A. No. 1:03-4788  
*Josephine Comella, et al. v. American Home Products Corp., et al.*, C.A. No. 1:03-4789  
*Annette Ottley, et al. v. American Home Products Corp., et al.*, C.A. No. 1:03-4790  
*Bernice Sullivan, et al. v. American Home Products Corp., et al.*, C.A. No. 1:03-4791  
*Amerite Espady v. American Home Products Corp., et al.*, C.A. No. 1:03-4903  
*Mary C. Dinos, et al. v. American Home Products Corp., et al.*, C.A. No. 1:03-4975  
*Catherine Sanchez-Perez, et al. v. American Home Products Corp., et al.*, C.A. No. 1:03-5018  
*Beverly A. Smith-Lee, et al. v. American Home Products Corp., et al.*, C.A. No. 1:03-5019  
*Alice R. Doherty v. American Home Products Corp., et al.*, C.A. No. 1:03-5020  
*Robert Korren, et al. v. American Home Products Corp., et al.*, C.A. No. 1:03-5021

**MDL-1203 Attachment A (Continued)**

Southern District of New York (Continued)

*Kimberly Leveling, et al. v. American Home Products Corp., et al.*, C.A. No. 1:03-5022  
*Sue E. Turin v. American Home Products Corp., et al.*, C.A. No. 1:03-5023  
*Anne Marie Schettino-Graves, et al. v. American Home Products Corp., et al.*,  
C.A. No. 1:03-5024  
*Beverlee A. Nellenback v. American Home Products Corp., et al.*, C.A. No. 1:03-5025  
*Debbie Aly, et al. v. Wyeth-Ayerst Laboratories Co., et al.*, C.A. No. 1:03-5038  
*Sharon Hurtle v. American Home Products Corp., et al.*, C.A. No. 1:03-5090  
*Irene Cotter v. American Home Products Corp., et al.*, C.A. No. 1:03-5091  
*Annette Katz v. American Home Products Corp., et al.*, C.A. No. 1:03-5092  
*Anna Dyczewska, et al. v. American Home Products Corp., et al.*, C.A. No. 1:03-5093  
*Marie A. Malgieri v. American Home Products Corp., et al.*, C.A. No. 1:03-5165  
*Hortensia Acosta v. American Home Products Corp., et al.*, C.A. No. 1:03-5166  
*Marie Louise Fabien v. American Home Products Corp., et al.*, C.A. No. 1:03-5167  
*Immacula Verneus, et al. v. American Home Products Corp., et al.*, C.A. No. 1:03-5319  
*Michele Grimaldi v. American Home Products Corp., et al.*, C.A. No. 1:03-5454  
*Maryal Furman v. American Home Products Corp., et al.*, C.A. No. 1:03-5455  
*Brenda A. Denaris v. American Home Products Corp., et al.*, C.A. No. 1:03-5456  
*Erin E. Duffy, et al. v. American Home Products Corp., et al.*, C.A. No. 1:03-5457  
*Lois Weissbach, et al. v. American Home Products Corp., et al.*, C.A. No. 1:03-5661  
*Ellen Post, et al. v. American Home Products Corp., et al.*, C.A. No. 1:03-5662  
*Julia Griffiths, et al. v. American Home Products Corp., et al.*, C.A. No. 1:03-5663  
*Juanita Dunn v. American Home Products Corp., et al.*, C.A. No. 1:03-5929  
*Jeannine Bruno v. American Home Products Corp., et al.*, C.A. No. 1:03-5932  
*Theresa A. Bartolomeo v. American Home Products Corp., et al.*, C.A. No. 1:03-5933  
*Melissa R. Anderson v. American Home Products Corp., et al.*, C.A. No. 1:03-5935  
*Mena V. Marajh, et al. v. American Home Products Corp., et al.*, C.A. No. 1:03-5940  
*Allison Maccarello v. American Home Products Corp., et al.*, C.A. No. 1:03-5943  
*Catherine L. Bruno v. American Home Products Corp., et al.*, C.A. No. 1:03-5944  
*Maria C. Anello v. American Home Products Corp., et al.*, C.A. No. 1:03-5945  
*Danae Allen v. American Home Products Corp., et al.*, C.A. No. 1:03-5950  
*Laura Yates, et al. v. American Home Products Corp., et al.*, C.A. No. 1:03-5951  
*Cynthia Jones, et al. v. American Home Products Corp., et al.*, C.A. No. 1:03-5952  
*Kelly E. Keller-Janese, et al. v. American Home Products Corp., et al.*, C.A. No. 1:03-5953  
*Megan Klobus v. American Home Products Corp., et al.*, C.A. No. 1:03-5954  
*Ameerah Shakoor v. American Home Products Corp., et al.*, C.A. No. 1:03-5955  
*Griftlyn Steele v. American Home Products Corp., et al.*, C.A. No. 1:03-5956  
*Jeffrey Parmer-Jacobs, et al. v. American Home Products Corp., et al.*, C.A. No. 1:03-5957  
*Danielle Skorupski v. American Home Products Corp., et al.*, C.A. No. 1:03-5958  
*Nicole Zaugg v. American Home Products Corp., et al.*, C.A. No. 1:03-6238  
*Jill M. Muller v. American Home Products Corp., et al.*, C.A. No. 1:03-6242  
*Michelle Orobello v. American Home Products Corp., et al.*, C.A. No. 1:03-6243  
*Shaun M. Maher-Cohen v. American Home Products Corp., et al.*, C.A. No. 1:03-6244

**MDL-1203 Attachment A (Continued)**

Southern District of New York (Continued)

*Angela Wright v. American Home Products Corp., et al.*, C.A. No. 1:03-6245  
*Heather Adams, et al. v. American Home Products Corp., et al.*, C.A. No. 1:03-6276  
*Matthew McCauley v. American Home Products Corp., et al.*, C.A. No. 1:03-6277

Western District of Oklahoma

*Leslie H. Parks v. Wyeth, et al.*, C.A. No. 5:03-730  
*Mary Bernal v. Wyeth, et al.*, C.A. No. 5:03-1107

Northern District of Texas

*Wenona Evans, et al. v. Wyeth, et al.*, C.A. No. 1:03-140  
*Eulen Lang, et al. v. Wyeth, et al.*, C.A. No. 2:03-246  
*Clifford Cox, et al. v. Wyeth, et al.*, C.A. No. 3:03-1400  
*Debra G. McDonald v. Wyeth-Ayerst Laboratories, et al.*, C.A. No. 3:03-1567  
*Mary Madalene Sain v. Wyeth-Ayerst Laboratories, et al.*, C.A. No. 3:03-1575  
*Helen Charlyne Speaker v. Wyeth-Ayerst Laboratories, et al.*, C.A. No. 3:03-1576  
*Brenda Stephens, et al. v. Wyeth, et al.*, C.A. No. 3:03-1613  
*Kimberly L. Rutkowski, et al. v. Wyeth, et al.*, C.A. No. 3:03-1627  
*Carol Cantrell, et al. v. Wyeth, et al.*, C.A. No. 3:03-1659  
*Ramona Reeves, et al. v. Wyeth, et al.*, C.A. No. 3:03-1756  
*Emma Pape, et al. v. Wyeth, et al.*, C.A. No. 4:03-628  
*Vicki L. McBride v. Wyeth-Ayerst Laboratories, et al.*, C.A. No. 4:03-790  
*Sonya Hill v. Wyeth-Ayerst Laboratories, et al.*, C.A. No. 4:03-794  
*Shirley Hallmark v. Wyeth, et al.*, C.A. No. 4:03-835

Western District of Texas

*Janie Benavides v. Wyeth, et al.*, C.A. No. 5:03-738  
*Ouida Garrett v. Wyeth-Ayerst Laboratories Co., et al.*, C.A. No. 6:03-219  
*Sherry Gray, et al. v. Wyeth, et al.*, C.A. No. 6:03-249

Eastern District of Virginia

*Doris W. Hamm v. Wyeth Pharmaceuticals, Inc., et al.*, C.A. No. 4:03-83

Northern District of West Virginia

*Terry Dimenco, et al. v. Wyeth, et al.*, C.A. No. 5:03-115  
*Sharon Fowler, et al. v. Wyeth, et al.*, C.A. No. 5:03-116

## PROCEDURES FOR ORAL ARGUMENT BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

All oral argument is governed by the provisions of Rule 16.1 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation (effective April 2, 2001). Rule 16.1(g) allows a maximum of twenty minutes for oral argument in each matter. In most cases, however, less time is necessary for the expression of all views and the Panel reserves the prerogative of reducing the time requested by counsel. Accordingly, counsel should be careful not to overstate the time requested for oral argument.

The Panel insists that counsel limit all oral argument to the appropriate criteria. See generally In re “East of the Rockies” Concrete Pipe Antitrust Cases, 302 F. Supp. 244, 255-56 (J.P.M.L. 1969) (concurring opinion) (discussion concerning criteria for transfer).

Rule 16.1 is duplicated in its entirety hereafter for your convenience.

## RULE 16.1: HEARING SESSIONS AND ORAL ARGUMENT

(a) Hearing sessions of the Panel for the presentation of oral argument and consideration of matters taken under submission without oral argument shall be held as ordered by the Panel. The Panel shall convene whenever and wherever desirable or necessary in the judgment of the Chairman. The Chairman shall determine which matters shall be considered at each hearing session and the Clerk of the Panel shall give notice to counsel for all parties involved in the litigation to be so considered of the time, place and subject matter of such hearing session.

(b) Each party filing a motion or a response to a motion or order of the Panel under Rules 7.2, 7.3, 7.4 or 7.6 of these Rules may file simultaneously therewith a separate statement limited to one page setting forth reasons why oral argument should, or need not, be heard. Such statements shall be captioned "Reasons Why Oral Argument Should [Need Not] Be Heard," and shall be filed and served in conformity with Rules 5.12 and 5.2 of these Rules.

(c) No transfer or remand determination regarding any action pending in the district court shall be made by the Panel when any party timely opposes such transfer or remand unless a hearing session has been held for the presentation of oral argument except that the Panel may dispense with oral argument if it determines that:

- (i) the dispositive issue(s) have been authoritatively decided; or
- (ii) the facts and legal arguments are adequately presented in the briefs and record, and the decisional process would not be significantly aided by oral argument.

Unless otherwise ordered by the Panel, all other matters before the Panel, such as a motion for reconsideration, shall be considered and determined upon the basis of the papers filed.

(d) In those matters in which oral argument is not scheduled by the Panel, counsel shall be promptly advised. If oral argument is scheduled in a matter the Clerk of the Panel may require counsel for all parties who wish to make or to waive oral argument to file and serve notice to that effect within a stated time in conformity with Rules 5.12 and 5.2 of these Rules. Failure to do so shall be deemed a waiver of oral argument by that party. If oral argument is scheduled but not attended by a party, the matter shall not be rescheduled and that party's position shall be treated as submitted for decision by the Panel on the basis of the papers filed.

(e) Except for leave of the Panel on a showing of good cause, only those parties to actions scheduled for oral argument who have filed a motion or written response to a motion or order shall be permitted to appear before the Panel and present oral argument.

(f) Counsel for those supporting transfer or remand under Section 1407 and counsel for those opposing such transfer or remand are to confer separately prior to the oral argument for the purpose of organizing their arguments and selecting representatives to present all views without duplication.

(g) Unless otherwise ordered by the Panel, a maximum of twenty minutes shall be allotted for oral argument in each matter. The time shall be divided equally among those with varying viewpoints. Counsel for the moving party or parties shall generally be heard first.

(h) So far as practicable and consistent with the purposes of Section 1407, the offering of oral testimony before the Panel shall be avoided. Accordingly, oral testimony shall not be received except upon notice, motion and order of the Panel expressly providing for it.

(i) After an action or group of actions has been set for a hearing session, consideration of such action(s) may be continued only by order of the Panel on good cause shown.





